

A regular meeting of the Board of Selectmen was held on February 10, 2011, at 7:00 p.m., in the Francis O'Brien Meeting Room, Town Office Building, 26 Bryant Street, Dedham, Massachusetts. Present were:

Sarah E. MacDonald
James A. MacDonald
Carmen Dellolacono
Michael L. Butler

Mr. Reynolds was not present for this evening's meeting.

Ms. MacDonald called the meeting to order at 7:00 p.m.

OPEN DISCUSSION

Ms. MacDonald asked the audience if anyone wished to speak with the Board of Selectmen. Hearing no response, she proceeded on to the next item on the agenda.

REQUEST FOR COMMON VICT

UALLER'S LICENSE, PERRY CONCHINHA/COURTSIDE CAFÉ, 2 KINGS COURT

Representing Courtside Café was: Perry Conchinha

Mr. Conchinha informed the Board that he purchased the restaurant from Mr. Rodriguez. Additionally, there will be no change in the layout of the restaurant and no change in the menu.

Mr. MacDonald made a motion to approve a Common Victualler's License to Courtside Café/Perry Conchinha; seconded by Mr. Dellolacono. **On the Vote:** Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes. (Mr. Reynolds was not present and did not vote.)

At the conclusion of the vote, the Board of Selectmen wished Mr. Conchinha good luck with his restaurant.

DEDHAM 375 STEERING COMMITTEE

Representing the Committee were: Marie-Louise Kehoe and Donna Greer, Co-Chairman
(Nancy Baker, Asst. Town Administrator and Selectman Sarah MacDonald are also on the Committee)

Acceptance of Gift—Ms. Baker informed the Board that the Dedham 375 Steering Committee recently received a gift for the 375 Celebration, from Jerry Lavoie, Peter Brown and Rob Erasmi, Dedham Savings, in the amount of \$65,000.00 with additional \$25,000.00 to come from their Charitable Foundation once the Steering Committee completes an application. Ms. Baker went on to say that the Steering Committee is very excited. Ms. Baker asked the Board to graciously accept this gift so that the Steering Committee can move forward with their continued plans for events.

Mr. MacDonald made a motion to hear an item not listed on this evening's agenda; seconded by Mr. Dellolacono. **On the Vote:** Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes. (Mr. Reynolds was not present and did not vote.)

Mr. Dellolacono made a motion to accept the gift, with gratitude, from Dedham Savings; seconded by Mr. Butler. **On the Vote:** Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes. (Mr. Reynolds was not present and did not vote.)

Mr. Dellolacono asked—When the money goes into the 375 Fund, it solely gets spent on the fund. Ms. Baker responded, yes. Mr. Dellolacono asked—If there is any miscellaneous, what happens to it, just a question of concern. Ms. Baker informed him the Steering Committee discussed this matter, and she did not know if this situation happened with the 350th Celebration. She informed Mr. Dellolacono that she will ask the Financial Department. Mr. MacDonald's sense was that the gift was given for a specific reason; and if everything is not spent, he felt a letter should be sent with the option of a return or it can be used to do something else. Ms. Baker commented to re-designate the funds.

CONDON PARK

Mr. MacDonald asked to have representatives of the Dedham Savings Charitable Fund invited to a future Selectmen's Meeting so that the Board can express their thanks.

Ms. Baker informed the Board that there is an gift from the Dedham Institute for Savings Charitable Foundation has gifted the Town \$2,500.00 towards the Condon Park Playground improvements.

Mr. MacDonald made a motion to hear an item that is not listed on this evening's agenda; seconded by Mr. Dellolacono. **On the Vote:** Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes. (Mr. Reynolds was not present and did not vote.)

Mr. MacDonald made a motion to accept, with gratitude, the gift from the Dedham Institute for Savings Charitable Fund; seconded by Mr. Dellolacono. **On the Vote:** Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes. (Mr. Reynolds was not present and did not vote.)

REQUEST FROM ST. MARY'S PARISH – ONE-DAY LIQUOR LICENSE FOR TRIVIA NIGHT

Mr. MacDonald made a motion to hear an item not listed on this evening's agenda; seconded by Mr. Dellolacono. **On the Vote:** Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes. (Mr. Reynolds was not present and did not vote.)

Ms. Baker, Asst. Town Administrator, informed the Board that the Trivia Night is scheduled for February 18, 2011, from 7:00 p.m. to 11:00 p.m.

Mr. MacDonald made a motion to approve a One-Day Liquor License to St. Mary's Parish for their Trivia Night; seconded by Mr. Dellolacono. **On the Vote:** Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes. (Mr. Reynolds was not present and did not vote.)

REQUEST CHANGE OF MANAGER, YARD HOUSE, 200 LEGACY PLACE—JANE HANNAH, MANAGER

The above-referenced agenda item was rescheduled to the next meeting of the Board of Selectmen. Manager was not present.

DISCUSSION/VOTE LAYOUT ALBA LANE & SCHEDULE PUBLIC HEARING

Present for discussion was: Attorney Peter Zahka, 12 School Street, Dedham, Massachusetts. Attorney Zahka informed all that he represents ARP Development, LLC.

Attorney Zahka informed the Board that Alba Lane is a new sub-division that is being built. Additionally, he is petitioning for Alba Lane to be a public way. Attorney Zahka went on to say that because it is a new street, construction is to the Town's specifications.

Mr. Dellolacono asked the name of the developer. Attorney Zahka informed him that the developer is Pisano. Mr. MacDonald was pleased to see a developer building a road to the Town's specifications.

Mr. MacDonald, made a motion to approve the intent to layout Alba Lane and establish a date for a Public Hearing. **On the Vote:** Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. Macdonald, yes. (Mr. Reynolds was not present and did not vote.)

Attorney Zahka thanked the Board of Selectmen.

DISCUSSION WESTWOOD WATER COMMISSIONERS

Present were: Mike Thornton, Eileen Commene, Jim Galvin, Rob Blume, Steve Mammone, Bob Iben and Ken Bragg.

Mr. Mammone informed all that the Commissioners recently put together the DWWD operational budget. Additionally, to balance their budget, increases had to be made. He went on to say that the last block-rate increase was in 2009. Mr. Mammone gave the factors relative to the increase, i.e., Conservation, Wages, Operating Costs. Mr. Thornton mentioned the drivers—Conservation, Debt Service- up/Consumption-down, and Depreciation Increase (from 2.6 m cap. spending to 3.2 cap. spending this year).

Mr. MacDonald thanked Mr. Thornton for the budget and information. He mentioned that residents were asked to conserve and they did; however, they are now using less water and charged more money. Mr. MacDonald went on to say that those residents using less water feel penalized in the district. Mr. Thornton replied that conservation is a double-edge sword and it might look like one is being penalized; however, this is not the intent of Dedham/Westwood Water. He went on to say that the DEP is asking them to get a handle on large users; however, they are trying to make the process as equitable as possible.

Mr. MacDonald asked Mr. Thornton what the status and approach is relative to OPEB going forward. Mr. Thornton informed him that he advised his commissioners not to speak relative to this matter because they are in negotiations. Mr. MacDonald asked him to get back to the Board of Selectmen with their approach once negotiations are settled.

Mr. Butler asked Mr. Thornton if water consumption has dropped. Mr. Thornton replied 16%-1998-2008—total across district. Mr. Butler asked if it could go down any further. Mr. Thornton thought it could possibly go down another 10%. Mr. Butler asked if there was a change in the water quality standards. Mr. Eiben informed him that nothing has changed that will affect the district. Mr. Butler asked Mr. Thornton if the commissioners have met with conservation agencies. Mr. Thornton informed

him that they have met with the Dedham Conservation Commission and Neponset Valley Water Shed and all have set long-term shared objectives.

Mr. Dellolacono was bothered to read about the water rates in the newspaper. Mr. Dellolacono asked Mr. Thornton if there was a Public Hearing relative to the rates. The commissioners replied, yes. Mr. Dellolacono asked the commissioners why they did not come before the Board of Selectmen before they raised the rates. He thought the process should have been more open.

Mr. Dellolacono informed the commissioners that the Board of Selectmen read about the rates in the newspaper—he thought finding out about rates in the newspaper was unfair. Mr. Dellolacono made a request that Dedham TV televise/record the Dedham-Westwood Water District meetings. He went on to say that residents have a right to watch and listen.

Mr. Mammone informed all that he was unaware that they had to come before the Board of Selectmen. Additionally, he will take Mr. Dellolacono's requests under advisement. Mr. Mammone went on to say that the Rate Study recommended a more aggressive approach. Mr. Mammone went on to say that they had to address a rate increase. Going forward, Mr. Mammone informed the Board that they will look at this situation on an annual basis-- maybe the district needs to take pro-active, incremental approach.

Mr. Keegan asked Mr. Thornton if Dedham/Westwood Water could sell water on the open market. Mr. Thornton informed him that they looked into the possibility of selling down south. Mr. Eiben discussed the problems relative to selling, i.e., storage and marketing.

Mr. MacDonald asked Mr. Eiben about shoveling the Fire Hydrants and what the district could do going forward. Mr. Eiben informed him that this year was very bad and they enlisted assistance from the Fire Department. He went on to say that all the Fire Hydrants in the district are now cleared. Mr. MacDonald asked if the district sends employees out on Fridays. Mr. Eiben informed him that it depends on the severity of the situation—they do not always get a full crew out to dig out the hydrants. He went on to say that they have a small staff and need assistance. Mr. Thornton commented that the Dedham Westwood Water District is asking for assistance from the residents to pitch in wherever they can—it is very helpful and appreciated. Mr. MacDonald asked Mr. Thornton the status of the markers. Mr. Thornton informed him that next year the Dedham Westwood Water District will have all hydrants marked.

Mr. Dellolacono made comments relative to the \$40.00 fee. He asked Mr. Thornton what Dedham Westwood Water does with the money. Mr. Thornton informed him that there was approximately \$47,000. Mr. Mammone informed all that the money is deposited in the General Fund. Mr. Thornton added—they are looking into what to do with the funds long-term.

Mr. Dellolacono asked the commissioners to speak with Town Clerk and have him explain the Open Meeting Laws. He went on to say that he will speak with Town Counsel to see if Dedham Westwood Water District is in line with other districts across the State. Considering the split from American, Mr. Dellolacono suggested that it might be time for a review. Mr. Butler suggested that a few Water District Commissioners attend the meeting with Mr. Dellolacono and Town Counsel—Mr. Mammone was interested to speak with Mr. Dellolacono and Town Counsel.

Ms. MacDonald asked if the district has addressed a low-income rate. Ms. Commene informed her that they have not yet agreed on a rate; however, they are looking at this type of rate in other towns. She went on to say that if a user meets the low-income criteria rate for gas/electricity, the Dedham Westwood Water District will apply this same criteria for water.

On behalf of the Board of Selectmen, Ms. MacDonald thanked the Dedham Westwood Water District Commissioners for attending their meeting this evening.

VOTE SNOW & ICE DEFICIT

William Keegan, Town Administrator, informed the Board that this request does not include expenses for digging out hydrants. Mr. Dellolacono asked to see another update relative to Snow & Ice. Ms. Baker commented that Andrea Brown, DPW Adm. Assistant, continues to send the Board of Selectmen updates relative to Snow & Ice costs.

Mr. Keegan informed all that Joe Flanagan, DPW Director, is trying to do what is necessary to keep the Town safe. Additionally, it has been a difficult winter and there is no place to dump snow. Mr. Keegan informed the Board that most snow removal is going forward in the day time with our DPW Staff. Mr. Keegan went on to say that he thought the DPW Staff did a great job with the Snow/Ice Operations.

Mr. MacDonald made a motion to approve an additional up to \$600,000.00 for Snow/Ice Deficit; seconded by Mr. Butler. **On the Vote:** Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes. (Mr. Reynolds was not present and did not vote.)

Town Administrator's Report

William Keegan, Town Administrator, discussed the following with the Board of Selectmen: Fiscal 2012 budget, Snow on Roofs, Endicott Estate Commission, Update Interviews for replacement of Tom Clinton, Youth Services Director, U.S./Pakistan Partnership Program for Public Administrators and discussion relative to his visit from Japanese Professor.

Action by the Board—

Request One-Day Liquor Dedham Community House, 671 High Street, on March 4, 2011

Mr. MacDonald made a motion to approve a One-Day Liquor License to the Dedham Community House; seconded by Mr. Dellolacono. **On the Vote:** Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes. (Mr. Reynolds was not present and did not vote.)

Design Review Advisory Board Vacancies (Steven Davies and Bob Tarashi)

Mr. MacDonald made a motion to approve Steven Davey (Business Owner-One Yr. Appt.) and Bob Tarashi (Design Professional 3-Yr. Appt.); seconded by Mr. Butler. **On the Vote:** Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes.

Dedham-Westwood Water District Appointment (Kenneth Bragg)

Mr. Dellolacono recused himself. He did not take part in the above-reference appointment vote.

Mr. MacDonald made a motion to re-appoint Kenneth Bragg to the Dedham-Westwood Water Commission; seconded by Mr. Butler. **On the Vote:** Mr. Butler, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes. (Mr. Dellolacono did not vote on this action.) (Mr. Reynolds was not present and did not vote.)

Request One-Day Common Victualler's License and One-Day Transcient Vendors' License for Dedham Country Day Fair, May 7, 2011 (Additional request to consider waiving fee.)

Mr. Dellolacono made a motion to approve the above-referenced One-Day Licenses for Dedham Country Day School (fee was not waived); seconded by Mr. MacDonald. **On the Vote:** Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes. (Mr. Reynolds was not present and did not vote.)

**At the conclusion of the vote, Mr. Dellolacono explained to all that the Board does not waive fees.

Approval of Selectmen's Meeting Minutes—July 8, 2010

Mr. MacDonald made a motion to approve the Board's Meeting Minutes of July 8, 2010; seconded by Mr. MacDonald. **On the Vote:** Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes. (Mr. Reynolds was not present and did not vote.)

OLD/NEW BUSINESS

Mr. MacDonald was concerned with the run-off from snow removal on to Memorial Field. He suggested approaching DEP to request a waiver. Mr. MacDonald asked Mr. Keegan to pursue the process. Mr. Keegan responded that he will ask how this can be accomplished.

Mr. Butler requested all the new committees come to an upcoming Board of Selectmen's Meeting for a discussion/update.

Mr. Butler informed all that he attended the Annual MMA Meeting and found it to be very interesting. He sat in on various workshops, i.e., Strategic Planning and Rails to Trails, and met with officials from various towns.

Mr. Dellolacono wished his daughter, Sarah, a Happy 14th Birthday. Mr. Dellolacono congratulated Commissioner Francis O'Brien on becoming Chairman, again. He would like the Board to invite him in to an upcoming meeting so that he can give him the plaque held over from the Pep Rally.

Mr. Dellolacono asked Ms. Baker the status of the Italian American Club's paperwork. Ms. Baker informed him that she received the paperwork and have been in constant contact with the club.

Mr. Dellolacono informed Mr. Keegan that the Dedham Postmaster was never notified to change Legacy Place/Legacy Boulevard. Mr. Keegan responded that he will check into this matter—he thought Post Office was formally notified.

Mr. Dellolacono informed families that if they have a special veteran they would like to recognize (confidential) please send the name to Fresh Ideas.

Relative to Snow/Ice Deficit—Mr. Dellolacono mentioned a comment made in the local newspaper by Fred Civian, Conservation Commission. With all due respect to Mr. Civian, Mr. Dellolacono thought his comments were distasteful. Mr. Dellolacono went on to say that Mr. Covina is just one member of the Commission and this is not the view of the entire Conservation Commission.

Ms. MacDonald congratulated the American Legion Post #18 -- celebrating its 90th Birthday. She thanked the organization for their outstanding public service and looks forward to working with them.

Ms. MacDonald informed all that the “Cocktails for Cupid” event will be held this Saturday at the Endicott Estate.

Ms. MacDonald asked Ms. Baker to schedule the Budget Message Meeting in the Lower Conference Room. Ms. Baker will check out the arrangements.

Ms. MacDonald informed all that the next meeting of the Board of Selectmen will be held on February 17, 2011.

Mr. MacDonald made a motion to enter into Executive Session relative to Chapter 39, Section 23B, for the purpose of discussing Contract Negotiations; seconded by Mr. Butler. **On the Vote:** Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes. (Mr. Reynolds was not present and did not vote.)

Meeting did not reconvene in open session.

Meeting adjourned at 9:48 p.m.

This is to certify that the above is a true and accurate record of the Minutes of the Board of Selectmen’s Meeting held on February 10, 2011, which Minutes were approved on October 6, 2011.

Sarah E. MacDonald, Chairman

